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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|-------------------|
| 10/567,783 | 02/09/2006 | Michiko Morita | NS-US055261 | 2889 |
| 22919 | 7590 | 06/25/2010 | EXAMINER | |
| GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680 | | | | CIRIC, LJILJANA V |
| 3744 | | ART UNIT | PAPER NUMBER | |
| 06/25/2010 | | MAIL DATE | DELIVERY MODE | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/567,783 | MORITA, MICHIKO | |
| | Examiner | Art Unit | |
| | Ljiljana (Lil) V. Ciric | 3744 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 March 2010.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6,8-17 and 19-24 is/are pending in the application.
 4a) Of the above claim(s) 6 and 17 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) _____ is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 09 February 2006 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Amendment and to Arguments

1. This Office action is in response to the reply filed on March 18, 2010.
2. Claims 1 through 6, 8 through 17, and 19 through 24 remain in the application and have all been amended, either directly or indirectly.
3. Applicant's amendments and arguments have obviated the rejections of the claims as cited in the previous Office action.

Election/Restrictions

4. Claims 6 and 17 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to the nonelected second species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 26, 2009. Note that upon correction by the applicant of the objections to the claims cited below, claims 6 and 17 will be considered for rejoinder and allowance provided that this would not result in newly claimed combinations of limitations which constitute new matter.

Specification

5. Receipt and entry of the amended abstract is hereby acknowledged.
6. The abstract of the disclosure is objected to because "A heat exchanger" at the beginning of the first sentence should be replaced with "A heat exchanger assembly" for improved consistency and idiomatic correctness. Correction is required. See MPEP § 608.01(b).
7. The disclosure is objected to because of the following informalities: "a heat exchanger" [page 1, lines 5 and 6 in the Technical Field section; page 2, line 2 at the top of the page; page 2, line 9 in the Summary of the Invention section; page 2, line 31 in the Summary of the Invention section; page 3, line 29 in the Summary of the Invention section; etc.] should be replaced with "a heat exchanger assembly"; "cooling bodies" [page 1, lines 5-6 in the Technical Field section; page 1, line 10 in the Background Art

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section; etc.] should be replaced with “cooling fluids”; .and “cooling body” [page 2, line 11; page 2, line 13; etc.] should be replaced with “cooling fluid”. Correction is required.

8. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

9. Any changes to the specification necessitated to correct the aforementioned objections to the specification may be made via the submission of a substitute specification. A substitute specification must not contain new matter. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

Claim Objections

10. Claims 1 through 5, 8 through 16, and 19 through 24 are objected to because of the following informalities: “A heat exchanger” [claim 1, line 1; claim 2, line 1] should be replaced with “A heat exchanger assembly”; and, “The heat exchanger” [claim 3, line 1; claim 4, line 1; claim 5, line 1; claim 8, line 1; claim 9, line 1; claim 10, line 1; claim 11, line 1; claim 12, line 1; claim 13, line 1; claim 14, line 1; claim 15, line 1; claim 16, line 1; claim 19, line 1; claim 20, line 1; claim 21, line 1; claim 22, line 1; claim 23, line 1; claim 24, line 1] should be replaced with "The heat exchanger assembly". Appropriate correction is required.

Allowable Subject Matter

11. Claims 1 through 5, 8 through 16, and 19 through 24 would be allowable if rewritten or amended to overcome the objections due to informalities as set forth in this Office action.

Conclusion

12. This application is in condition for allowance except for the following formal matters: the objections to the abstract, to the specification, and to the claims as set forth above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ljiljana (Lil) V. Cirim whose telephone number is 571-272-4909. The examiner works a flexible work schedule but can normally be reached on most days during the work week between the hours of 10:30 a.m. and 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on 571-272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ljiljana (Lil) V. Ciric/

Primary Examiner, Art Unit 3744